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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

24 FEB 1993

POLICY & PLANNING
BRANCH ROOM 5202

IN REPLY REFER TO:
7330-7/1700A3

Honorable Tom Lewis
Member, House of Representatives
Port St. Lucie
7601 South U.S. Highway One
Suite 200
Barnett Bank Bldg.
Port St. Lucie, Florida 34952

RECEIVED

MAR 5 1993

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Dear Congressman Lewis:

This is in reply to your letter of February 5, 1993, in which you inquired on behalf of your constituent, MacLean Sinclair, regarding the Notice of Proposed Rule Making (Notice) in PR Docket No. 92-235, 57 FR 54034 (1992). This Notice proposes comprehensive changes to the Commission's Rules governing the private land mobile radio services operating in the frequency bands below 512 MHz.

Those rules have been in place for over 20 years. While they have been amended on numerous occasions since that time, they nonetheless embody regulatory concepts based on yesteryear's technology and, unless changed, will stifle the growth and development of private land mobile radio technology and services, which are used primarily by local governments, public safety entities, and businesses to enhance their productivity. The Commission issued the Notice, therefore, to solicit comment from all interested persons on a wide variety of proposals designed to increase channel capacity, to promote more efficient use of these channels, and to simplify the rules governing use of these channels.

The proposals in the Notice reflect to a large extent concepts and proposals submitted in the initial inquiry stages of this proceeding. None of the proposals set forth in the Notice, however, are engraved in stone. Indeed, the proposals represent our best judgment at this stage of the proceeding on steps that must be taken to improve the regulatory climate for users of the private land mobile radio spectrum below 512 MHz. To this end, some of the critical issues that must be resolved relate to channel spacing, the amount of time provided to users to convert to new technical standards, how the 300 to 500 percent increase in channel capacity should be licensed, how the rules should be written to provide users technical flexibility, and whether the current nineteen radio services should be consolidated and, if so, how. I have enclosed for your information a copy of that part of the Notice that describes the numerous proposals.

Mr. Sinclair is specifically concerned about the impact of these changes on radio control (R/C) hobby users. Enclosed is a discussion paper concerning our proposals for the 72-76 MHz band. In short, we expect there would be no adverse impact on R/C operations because of any proposal contained in the Notice.

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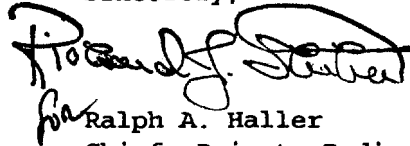
Honorable Tom Lewis

2.

We are, of course, sensitive to the concerns of both users of private land mobile radio spectrum and R/C hobbyists. We will, therefore, take into careful consideration all their comments. Your constituent's concerns will be fully evaluated when we develop final rules in this proceeding. As indicated in the Notice, we remain convinced that without significant regulatory change in radio operations in the bands below 512 MHz, the quality of communications in the private land mobile radio services will continue to deteriorate to the point of endangering public safety and the national economy.

We want to thank you for your interest in this proceeding. Comments on the proposals set forth in the Notice are due May 28, 1993, and Reply Comments are due July 14, 1993. We expect final rules to be issued in 1994. We urge your constituent to file formal comments on all aspects of the proposals.

Sincerely,

A handwritten signature in dark ink, appearing to read "Ralph A. Haller", with a stylized flourish at the end.

Ralph A. Haller
Chief, Private Radio Bureau

Enclosures

cc:

Chief, PRBureau
Chief, LM&M Divison
Docket Files, Room 222
P&P Branch File (Pink)

CNTL NO - 9300537

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CONGRESS/9300537

Congressional

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AND REPLY FOR DOCKET FILE, ROOM 222.

CONGRESSIONAL CORRESPONDENCE TRACKING SYSTEM
02/11/93

LETTER REPORT

CONTROL NO.	DATE RECEIVED	DATE OF CORRESP	DATE DUE	DATE DUE OLA(857)
9300537	02/11/93	02/05/93	02/24/93	

TITLE	MEMBERS NAME	REPLY FOR SIG OF
Congressman	Tom Lewis	BC

CONSTITUENT'S NAME	SUBJECT
MacLean Sinclair	inq. comments on PR Docket 92-235

REF TO	REF TO	REF TO	REF TO
PRB/2mm			
2-12-93			
DATE	DATE	DATE	DATE
02/11/93			

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REMARKS: Respond to the attention of Betsy Gibson in the
Port St. Lucie, FL office.

02. 05. 93 05:08PM * CONG TOM LEWIS

TOM LEWIS
12TH DISTRICT, FLORIDA

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COMMITTEE ON SCIENCE, SPACE,
AND TECHNOLOGY

SELECT COMMITTEE ON
NARCOTICS ABUSE AND CONTROL

NORTH ATLANTIC ASSEMBLY (NATO)



Congress of the United States
House of Representatives
Washington, DC 20515

February 5, 1993

RE: Sinclair, MacLean

Congressional Liaison Office
Attn: Mr. Charlie Schott
F.C.C.
1919 M Street N.W.
Washington, D.C. 20554

Dear Mr. Schott:

I am writing on behalf of my constituent, MacLean Sinclair, who is seeking my assistance with regard to a matter involving the Federal Communications Commission.

According to Mr. Sinclair, he is concerned about the FCC adopting new rules to improve the operating conditions of land mobile radio users at the expense of radio control modelers. He feels the new rules will greatly reduce the usability of frequencies currently assigned for model use and increase the risk of accidents and attendant liability for controlling model airplanes. The issue before the FCC he is referring to is apparently PR Docket 92-235.

Would you please be so kind as to review the enclosed materials and inform me of your findings? Please respond to Betsy Gibson of my Port St. Lucie office.

Thank you for your assistance in this matter.

Sincerely,

Tom Lewis
Tom Lewis
Member of Congress

TL:bjg
Enclosures: 1

P02

DISTRICT OFFICES:
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The Honorable
Tom Lewis
7601 S U S Highway 1
Port St Lucie, FL 34952

PR Docket 92-235

January 28, 1993

Dear Representative Lewis,

Thirty five years ago when I first saw radio control aircraft I could not afford the radios to run them. Now the technology has brought the radios to the point where they are affordable and reliable in their own frequencies. I am now active in our local club, the St Lucie Aero Modelers Society. I own five radios which I use in many more models. I fly models that date to 1936 weighing 7 lbs to my own design, Desert Storm type TV 35lb. photo plane. Speeds of my aircraft vary up to 150 MPH. An uncontrolled 10 lb 150 MPH projectile is a very lethal device.

Our club operates on public land with spectators. Since the proposed new frequencies are so close, interference will occur and render most model frequencies unsafe and unusable

I do not think it is wise of the FCC to seek to improve the operating conditions of land mobile radio users at the expense of radio control modelers. If adopted, the new rules will greatly reduce the usability of frequencies currently assigned for model use and increase the risk of accidents and attendant liability for controlling model airplanes. We have a considerable investment in our models and in our radio equipment. We need the use of our full complement of radio frequencies to insure a safe flying environment.

Yours truly,



MacLean Sinclair
702 Kearney Road
Fort Pierce, FL 34982-4024